

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

CHRISTOPHER F. CASTANIAS,

Plaintiff

v.

C-1-11-296

ALECIA C. LIPTON, *et al.*,

Defendants

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 65) to which neither party has objected. On January 30, 2013, the Clerk of Courts mailed the Report and Recommendation to the plaintiff via Certified Mail/Return Receipt Requested (doc. no. 67). On February 27, 2013, it was returned to the Clerk's Office marked "Refused" (doc. no. 68).

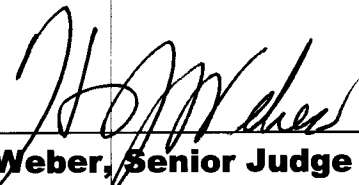
Upon a *de novo* review of the record, the Court finds that the Judge has accurately set forth the applicable law and has properly applied it to the particular facts of this case. Accordingly, in the

absence of any objection by plaintiff, this Court accepts the Report as uncontroverted.

The Report and Recommendation of the United States Magistrate Judge (doc. no. 65) is hereby ADOPTED AND INCORPORATED HEREIN BY REFERENCE. Plaintiff's Motion for Reconsideration/Motion to Amend or Alter Judgment (doc. no. 57) is DENIED.

This case is DISMISSED AND TERMINATED on the docket of this Court.

IT IS SO ORDERED.



**Herman J. Weber, Senior Judge
United States District Court**